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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/681,025      | 10/08/2003  | Stephen E. Terry     | I-2-0418.1US        | 6191             |

24374 7590 05/17/2005

VOLPE AND KOENIG, P.C.  
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UNITED PLAZA, SUITE 1600  
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PHILADELPHIA, PA 19103

EXAMINER

PIZARRO, RICARDO M

ART UNIT PAPER NUMBER

2661

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/681,025

Applicant(s)

TERRY, STEPHEN E.

Examiner

Ricardo Pizarro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/8/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19-30 is/are allowed.
- 6) ☒ Claim(s) 1,2,6,7,11-14,16 and 17 is/are rejected.
- 7) ☒ Claim(s) 3-5, 8-10, 15, 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 6-7, 11-14, 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent No. 6,474,753 (Heinonen).

Regarding claim 1 Heinonen discloses a wireless system comprising: a first access point AP (access point 148 in Fig. 1); a wireless transmit/receive unit coupled to the AP via a first interface (the Access point 148 has wireless transmit and receive capabilities, ie, WTRU, col 9 lines 47-50); an infrastructure network coupled to the AP via a second interface (network 116 in Fig. 1), at least one wireless local area network (WLAN) access device (User device 100 in Fig. 1) coupled to the integrated terminal via a third interface (Bluetooth antenna interface 103 in Fig. 1).

Heinonen did not specifically disclose the infrastructure network 116 being a UTRAN network, however it explicitly suggested that a 3G network could be one of said networks (col 10 line 63). And UTRAN is a 3G network,

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use UTRAN as one of the alternative wireless networks a 3G network to enable a wireless device to resume transmission

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which was being conducted through a short range wireless access point but interrupted by moving the device out of the coverage area.

The motivation to do so is to provide a system for supporting handover of packet data flow within a wireless system such a UTRAN that provides a very small interruption or no interruption in traffic flows

Regarding claim 2, wherein the 3G provides the device with access to an external network via a third interface ( i.e access to the Internet via Gateway 118 in Fig. 1).

Regarding claim 6, wherein manually or automatically is established a Third Generation (3G) connection to the external network ( col 10 line 63).

Regarding claims 7, 11-13 it would be obvious to one of ordinary skill in the art that IEEE 802.11 is one of the WLAN protocols in use ( col 7 line 18).

Regarding claim 14 the network operates under 3G specification ( network 116 in Fig. 1)

Regarding claim 16, wherein the WLAN access device is a laptop computer ( col 1 lines 30-31 in the background section

Regarding claim 17, wherein the VVLAN access device is a personal digital assistant (PDA) ( col 1 line 26 in the background section)

***Allowable Subject Matter***

3. Claims 19-30 are allowed.

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Claims 3-5,8-10, 15, 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim.

### ***Conclusion***

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306

(for formal communications intended for entry, for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to 220 South 20<sup>th</sup> Street, Crystal Plaza Two, Lobby, Room 1B03, Arlington, Va 22202 (Customer Window).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricardo Pizarro whose telephone number is (571) 272-3077. The examiner can normally be reached on Monday-Friday from 9:00 AM to 5:30 PM. The fax number for this Group is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126.

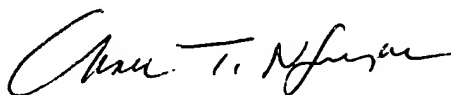
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

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applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

2005-05-12

Ricardo Pizarro

A handwritten signature in black ink, appearing to read "Chau T. Nguyen".

CHAU NGUYEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600